

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 185, FOOD AND DRUGS ACT.

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#### ADULTERATION OF CREAM.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given of the judgment of the court in the cases of the United States *v.* Elijah E. Blough and United States *v.* Samuel C. Harley, prosecutions in the Police Court of the District of Columbia against the said Blough and Harley for violation of section 2 of the aforesaid act in the sale in said District of cream which was adulterated in that butter fat, a valuable constituent thereof had been abstracted in part therefrom.

The said Elijah E. Blough and Samuel C. Harley were arraigned in the above-stated court on November 10 and 19, 1909, respectively, under informations filed by the United States Attorney charging the aforesaid offenses, and having entered their pleas of guilty, were on said dates each sentenced to pay a fine of \$10.

The facts in the cases were as follows:

On October 13, 1909, an inspector of the health department of the District of Columbia, acting under authorization of the Secretary of Agriculture of the United States to Dr. William C. Woodward, health officer of said District, procured a sample from each of two cans of cream which at that time were at the union depot in Washington, D. C., having been shipped by rail from Manassas, Va., by Elijah C. Blough and Samuel C. Harley to Storm & Sherwood, Washington, D. C. The samples were analyzed by the said health department of the District of Columbia and found to contain less than 18 per cent of milk fat, indicating that a part of the milk fat had been abstracted from said cream. It therefore appeared that the cream was adulterated within the meaning of section 7 of the Food and Drugs Act, and the said Blough and Harley were duly notified thereof and were given an opportunity to be heard in reference thereto, and

it appearing that the act had been violated by the said parties the said health officer reported the facts to the United States Attorney for the District of Columbia, who forthwith filed informations in the Police Court of said District against the said Blough and Harley, who appeared in said court on November 10 and 19, 1909, respectively, with the results hereinbefore stated.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 28, 1910.*